

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**STIPULATION AND (PROPOSED)
ORDER RE: ADDITIONAL TIME TO
SUBMIT MOTION TO SEAL**

**NOTE ON MOTION CALENDAR:
FEBRUARY 16, 2024**

The Parties have met and conferred to discuss the sealing of confidential material in connection with Plaintiffs' Motion for Class Certification and Appointment of Co-Lead Class Counsel ("Motion for Class Certification"). *See* Dkt. Nos. 181 & 182. Because of the high volume of information contained in these filings that was designated by Valve or third parties as confidential or highly confidential, the parties request that the Court extend the deadline to move to seal the Motion for Class Certification and most of the supporting materials until March 12, 2024. Additionally, the parties propose a more streamlined process to apply specifically to the opening expert report of Dr. Schwartz (Exhibit 1 to the Declaration of Alicia Cobb).

STIPULATION AND ORDER RE: ADDITIONAL TIME TO
SUBMIT MOTION TO SEAL – 1

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1 1. The high volume of materials to review and meet and confer over establishes
2 good cause for this extension. Plaintiffs submitted 84 exhibits in support of their Motion for
3 Class Certification, almost all of which were designated by one of the parties, or a third party,
4 as “Confidential” or “Highly Confidential – Attorneys’ Eyes Only” under the August 16, 2022
5 Stipulated Protective Order. Dkt. No. 95.

6 2. Valve therefore requests additional time to review the Motion for Class
7 Certification and supporting materials and prepare proposed redactions to them, and to allow
8 the parties time to meet and confer regarding these materials, and has asked that the deadline
9 for doing so be extended to March 12, 2024. Plaintiffs do not oppose this request.

10 3. Additionally, at least one third party has likewise requested additional time to
11 allow them to complete their review of the materials at issue, and to meet and confer with the
12 parties regarding sealing and proposed redactions.

13 4. Finally, the opening expert report of Dr. Schwartz (Exhibit 1 to the Declaration
14 of Alicia Cobb) in particular cites a large volume of documents and information designated by
15 the parties and third parties as “Confidential” or “Highly Confidential – Attorneys’ Eyes Only”
16 under the August 16, 2022 Stipulated Protective Order. Dkt. No. 95. To streamline the process
17 for the parties and third parties to resolve the treatment of information in this expert report, the
18 parties propose to provisionally to keep that report under seal until two weeks after any motions
19 to seal filed on March 12, 2024 are resolved, such that the parties may apply to the Schwartz
20 Report any rulings on the sealing motions or propose other sealing and/or redactions, as
21 appropriate. This will significantly simplify the conferral process for the parties and third
22 parties, and may ease the burden on the Court.

23 5. Valve’s response to the Motion for Class Certification is not due until May 17,
24 2024.

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STIPULATION AND ORDER RE: ADDITIONAL TIME TO
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6. The parties therefore respectfully request that the Court extend until March 12, 2024 the deadline for the parties and third parties to (1) as appropriate, file redacted versions of Plaintiffs' brief, declaration, and exhibits (apart from the Schwartz Report), and (2) file any corresponding motions to seal pursuant to LCR 5(g)(3).

7. The parties further respectfully request that the Court extend until two weeks after the resolution of any motions to seal filed by March 12, 2024, for the parties and third parties to (1) as appropriate, file a redacted version of the opening expert report of Dr. Schwartz, and (2) file any corresponding motions to seal pursuant to LCR 5(g)(3).

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 16th day of February, 2024.

/s/ Alicia Cobb

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STIPULATION AND ORDER RE: ADDITIONAL TIME TO
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STIPULATION AND ORDER RE: ADDITIONAL TIME TO
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1 IT IS SO ORDERED:
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3 DATED this 16th day of February 2024.
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7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
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STIPULATION AND ORDER RE: ADDITIONAL TIME TO
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